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September 14, 2005

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VIA HAND DELIVERY

The Honorable Charles L. A. Terreni
Chief Clerk and Administrator
The Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RECEIVED
2005 SEP 14 PM 4:50
SC PUBLIC SERVICE
COMMISSION

RE: **Docket No. 2005-254-E-** Petition for Hearing and Review Relating to Special Purpose Districts' Right to Municipal Power Rate

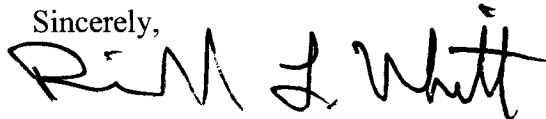
Dear Mr. Terreni:

Enclosed is the original and ten copies of Duke Power, a division of Duke Energy Corporation's Petition to Intervene in the above referenced Docket.

All parties of Record have been served with this Petition on even date. If you have any questions or concerns please do not hesitate to contact the undersigned.

With kind regards, we are

Sincerely,



William F. Austin
Richard L. Whitt

RLW/dss

cc: C. Dukes Scott, Esquire
Florence P. Belser, Esquire
Shannon Bowyer Hudson, Esquire
(all of the South Carolina Office of Regulatory Staff)
Hollie C. Davis
Patricia Banks Morrison, Esquire

OK
OK

CERTIFICATE OF SERVICE

I, Darla Stone, employee of Austin Lewis Rogers, P.A., hereby certify that I caused copies of this petition to be hand delivered on this date, to the individuals shown below, at the addresses shown below:

C. Dukes Scott, Esquire
Florence Belser, Esquire
Shannon Bowyer Hudson, Esquire
Office of Regulatory Staff
1441 Main Street, Suite 300
Columbia, South Carolina 29201

Hollie C. Davis
225 Burma Road
Lexington, SC 29072

Patricia Banks Morrison
South Carolina Electric and Gas
1400 Lady Street
Legal Department – Mail Code 130
Columbia, SC 29218

RECEIVED
2005 SEP 14 PM 4:50
SC PUBLIC SERVICE
COMMISSION

This the 14 day of September, 2005.

Austin Lewis and Rogers, P.A.

By: Darla S. Stone
Darla S. Stone

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-254-E

IN RE: Docket No. 2005-254-E- Petition
for Hearing and Review Relating
to Special Purpose Districts'
Right to Municipal Power Rate

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PETITION TO INTERVENE

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Introduction

Duke Power, a division of Duke Energy Corporation, ("Duke"), is filing on even date a request to the Public Service Commission of South Carolina ("Commission") that it refer this matter to the South Carolina Office of Regulatory Staff ("ORS") for the staff to investigate this matter and receive comments from all interested parties. Reserving its rights related to that request, Duke files the following Petition for Intervention.

Petition

Duke, pursuant to the Commission Rules 103-830, 103-836, and other applicable Rules and Statutes, hereby petitions this Commission for an Order allowing Duke to intervene as a Party of Record and participate in the above described docket. Duke shows as follows:

1. Duke is an electric utility, generating, transmitting, distributing, and selling electric power in the state of South Carolina, subject to the jurisdiction of this Commission. Duke is a North Carolina Corporation, domesticated to conduct and conducting business within the state of South Carolina.

2. Attorneys authorized to receive communications and pleadings relevant to this Petition are:

William F. Austin
Richard L. Whitt
AUSTIN, LEWIS & ROGERS, P.A.
Post Office Box 11716
Columbia, South Carolina 29211
(803)251-7443

Lara Simmons Nichols
Assistant General Counsel
DUKE POWER, a division of
DUKE ENERGY CORPORATION
Post Office Box 1244, PBO5E
Charlotte, North Carolina 28201
(704) 382-9960

3. This Docket was opened upon the correspondence of Ms. Hollie C. Davis. Ms. Davis self describes herself as an independent electricity analyst and states that she is the principal owner of a business, UtiliCheck LLC.

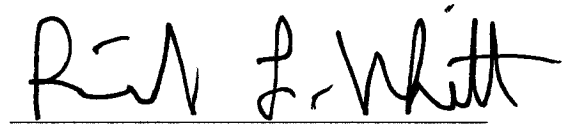
4. Duke's position is that it has a substantial interest in the stated subject matter of the proceeding in that the relief sought by Ms. Davis could affect rates charged by Duke and, therefore, Duke should be allowed to intervene and participate fully in this Docket and any hearing scheduled in this matter.

WHEREFORE, Duke requests that:

This Commission inquire into this matter and issue an Order:

- 1) granting Duke's request to be allowed to intervene in this matter and participate fully in the Docket and any hearing to be scheduled in this matter.
- 2) granting Duke all rights attendant to intervenor status.
- 3) such other and further relief as this Commission may deem just and proper.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "R. L. Whitt", is written over a horizontal line.

William F. Austin
Richard L. Whitt
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Lara Simmons Nichols
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ATTORNEYS FOR PETITIONER
DUKE POWER, A DIVISION OF
DUKE ENERGY CORPORATION

Columbia, South Carolina
Dated: September 14, 2005